

March 18, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVAL OF DRAFT CONTRACT MODIFICATION FOR THE PROVISION OF
GANG INTERVENTION SERVICES IN THE POMONA/SAN GABRIEL AREA -
SCHOOL CLUSTER 1 UNDER THE JUVENILE JUSTICE CRIME PREVENTION ACT**

(3 VOTE; FIRST SUPERVISORIAL DISTRICT)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the attached draft modification to Contract #0078 FY01/02 with Art Share Los Angeles to include providing gang intervention services in the Pomona/San Gabriel Area (School Cluster 1), in the amount not to exceed \$68,381, fully offset by Juvenile Justice Crime Prevention Act (JJCPA) funds, for a period to commence following Board approval through June 30, 2004, and delegate authority to the Chief Probation Officer to finalize and execute a contract modification substantially similar to the attached draft modification, after final approval by County Counsel, and to extend the contract modification concurrently with the existing contract term for two additional 12-month periods, in an annual amount not to exceed \$273,000, contingent on available funds.
2. Delegate authority to the Chief Probation Officer to approve the addition or replacement of any agency subcontracting with Art Share Los Angeles after approval as to form by County Counsel.

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PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS:

The purpose of the recommended action is to obtain Board approval of a modification to Contract # 0078-FY01/02 with Art Share Los Angeles (Art Share) to include the provision of gang intervention services in the Pomona/San Gabriel Area in School Cluster 1 (First Supervisorial District). Art Share currently provides gang intervention services in two other areas within School Cluster 1 under two separate contracts in the Highland Park/East Los Angeles and Bell/South Gate areas, respectively. As stipulated in the proposed modification, the services will include gang intervention services for gang-involved youth referred by the Probation Department, other law enforcement agencies, and Community Based Organizations (CBOs). Art Share will subcontract the majority of the required services.

On October 16, 2001, your Board approved a contract with the Public Health Foundation Enterprise (PHFE) /Project LEADS (LEADS) to act as a lead agency in providing gang intervention services in the Pomona/San Gabriel area in School Cluster 1. PHFE provided the administrative and financial support, while LEADS provided the direct services. In May 2003, PHFE notified Probation that they would not extend their contract past its June 30, 2003 expiration date. PHFE terminated its collaboration with Project LEADS resulting in the termination of their contract and leaving the Pomona/San Gabriel area without the services required under the JJCPA Comprehensive Multi-Agency Justice Plan (Plan). In an effort to minimize a break in services, Probation utilized its delegated authority to modify two contracts that Art Share held for the provision of similar services in School Cluster 1 under the JJCPA program. These contract modifications allowed services to continue in the Pomona/San Gabriel area with minimal interruption. Art Share subcontracted the services to LEADS who had provided the services since 2001. This provided continuity in the provision of services with a minimal break in service. However, the contract modifications expired February 14, 2004, creating another break in services in the Pomona/San Gabriel area.

As previously related to your Board, the Probation Department is assessing all JJCPA programs and services as it enters into its fourth year of funding. Based upon this review, the Department may restructure the JJCPA programs. If so, a solicitation process will be conducted for JJCPA services, including gang intervention services. Therefore, conducting a solicitation for gang intervention services in the Pomona/San Gabriel area at this time would not be in the best interest of the County. The recommended actions are necessary to provide the services in the Pomona/San Gabriel area. The modification to Art Share's

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contract will enable them to provide services following Board approval through June 30, 2004 and through any extension options available.

Implementation of Strategic Plan Goals

The recommended Board actions are consistent with the Countywide Strategic Plan Service Excellence Goal #1 and Children and Families' Well-Being Goal #5. Implementation of the recommendations will enable the continuation of services to gang-involved youth that includes community-based intervention and suppression services.

FINANCIAL IMPACT/FINANCING:

The recommended contract modification will not exceed \$68,381 for the initial term. The contract modification may be extended up to two additional 12-month periods, concurrent with the existing contract and contingent on continued legislative funding and approval as to form by County Counsel.

The costs are 100% offset by JJCPA funds, which are included in the FY 2003-2004 Probation Department's Budget. The contract with Art Share includes provisions for non-appropriation of funds and budget reductions.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

On March 20, 2001, your Board authorized the Chief Probation Officer to finalize the Plan and apply to the State Board of Corrections (BOC) for Crime Prevention Act of 2000 funding, now known as the Juvenile Justice Crime Prevention Act (JJCPA). SB 736 (Poochigian-Burton) addressed the future of JJCPA and authorized the BOC to use \$116,300,000 for all participating counties for FY 2002-2003. Los Angeles County's allocation was \$32,742,714. For FY 2003-2004, \$116,300,000 was again authorized for all participating counties. The adjusted Los Angeles County allocation for FY 2003/2004 is \$32,612,056, a reduction of \$130,658.

The proposed contract modification will be for the period following Board approval through June 30, 2004, after approval by County Counsel. There is also an option to extend the contract modification concurrently with the existing contract term for two additional 12-month periods, in an annual amount not to exceed \$273,000 for each term.

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The scope of work for the contracted services includes providing gang intervention services

to gang-involved youth, including transportation to and from service sites to youth attending specific schools in the Pomona/San Gabriel area.

The contract with Art Share contains all County requirements, including the hiring of displaced County employees and participants in the GAIN program, and requirements regarding contractor non-responsibility and debarment.

Probation will not request the contractor to perform services, which exceed the Board approved contract amount, scope of work, and/or contract dates.

CONTRACTING PROCESS:

On July 27, 2001 Probation released a Request for Proposals (RFP) for the provision of gang intervention services under the JJCPA program in School Cluster 1. On October 16, 2001, as a result of the RFP process, your Board approved a contract with Art Share to provide the services in the Highland Park/East Los Angeles area. However, the contract awarded to provide services in the Pomona/San Gabriel service area, was not renewed after its second contract term ended on June 30, 2003. Consequently, the Department modified two contracts utilizing the Chief Probation Officer's delegated authority to minimize the break in services in this area.

The proposed modification will amend the current contract with Art Share to include the provision of gang intervention services in the Pomona/San Gabriel area, which is currently not being served, while the Department assesses all of the JJCPA programs. Further, since Art Share has previously provided services in the Pomona/San Gabriel area, they are in a unique position to implement the required services immediately, minimizing the current break in services. Art Share plans to subcontract the majority of the services to LEADS. This will provide continuity of services and provide the community with the required services in a timely manner.

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IMPACT ON CURRENT SERVICES (OR PROJECTS):

Approval of the recommended action will enable the Probation Department to comply with

the Plan's mandate to provide gang intervention services in targeted geographical areas.

Respectfully submitted,

RICHARD SHUMSKY
Chief Probation Officer

Attachment (1)

c: Chief Administrative Officer
County Counsel

**MODIFICATION NUMBER 4 TO CONTRACT NO. PROB 0078 FY 2001/2002
TO PROVIDE GANG INTERVENTION PROGRAM SERVICES
FOR SCHOOL CLUSTER 1- HIGHLAND PARK/ EAST LOS ANGELES
FOR THE COUNTY OF LOS ANGELES PROBATION DEPARTMENT**

This modification No. 4 to contract No. Prob 0078 FY 2001/2002 is made and entered into this _____ day of _____, 2004 by and between the County of Los Angeles, a body politic, hereinafter referred to as "COUNTY" and Art Share Los Angeles located at 801 East 4th Place, Los Angeles, California 90013, hereinafter referred to as "CONTRACTOR".

WHEREAS, the parties on November 1, 2001 entered into a contract for CONTRACTOR to provide gang intervention services funded under the Schiff-Cardenas Crime Prevention Act of 2000 (AB1913); and

WHEREAS, the COUNTY of Los Angeles Probation Department has a continuing need for the services of an agency to provide Gang-Intervention Services in School Cluster #1; and

WHEREAS, the Chief Probation Officer has been delegated authority to extend and modify said contract pursuant to the terms contained in the contract; and

WHEREAS, the contract was modified on June 24, 2002, to update contract language, and extend the contract for a second twelve (12) month term for the period of July 1, 2002 to June 30, 2003; and

WHEREAS, on April 22, 2003, the County of Los Angeles Board of Supervisors authorized the Chief Probation Officer to modify the contract's statement of work commensurate with an eight percent (8%) contract sum reduction; and

WHEREAS, the contract was modified on June 25, 2003, to update contract language, and extend the contract for a third twelve (12) month term for the period of July 1, 2003 to June 30, 2004; and

WHEREAS, the contract was modified on August 15, 2003, to include the provision of services in the Pomona/San Gabriel area for the period of August 15, 2003 to February 14, 2004; and

WHEREAS, COUNTY and CONTRACTOR mutually agree to modify said contract as herein set forth;

NOW, THEREFORE, in consideration of the mutual covenants herein set forth and the mutual benefits to be derived therefrom, said contract is modified as follow:

1. Part A, PERFORMANCE WORK STATEMENT, SUB-SECTION 1.1.7, page 4, is added in its entirety to read as follows:

1.1.7 For the period following Board approval through June 30, 2004, the CONTRACTOR, through its Collaborative, shall also provide gang intervention services in the Pomona/San Gabriel service area. CONTRACTOR and/or Collaborative shall have a point of service within the additionally targeted service area. The service area may be modified by mutual agreement between COUNTY and CONTRACTOR during the term of the contract. The CONTRACTOR will take the preceding actions to provide services to youth gang members in the service area during critical hours (3:00 p.m. to 10:00 p.m.) both during the week and on the weekends.

2. Part A, PERFORMANCE WORK STATEMENT, SUB-SECTION 2.1.3, page 4, is added in its entirety to read as follows:

2.1.3 For the period following Board approval through June 30, 2004, the CONTRACTOR will also provide gang intervention services to the Pomona/San Gabriel service area. The service areas may be modified by mutual agreement between County and CONTRACTOR during the term of the contract.

3. Part A, PERFORMANCE WORK STATEMENT, SECTION 13.0 (CONTRACT SUM), page 22, is amended in its entirety to read as follows:

13.0 CONTRACT SUM

The contract fee under the terms of this contract shall be the total monetary amount payable by COUNTY to the CONTRACTOR for supplying all services specified under this contract. The total funding allocation, inclusive of all applicable taxes for the period of November 1, 2001 through December 31, 2002, shall not exceed \$296,667; for the period of July 1, 2002 through June 30, 2004, the second funding allocation, inclusive of all applicable taxes, shall not exceed \$273,527; and, for the period of July 1, 2003 through June 30, 2004, the third funding allocation, inclusive of all applicable taxes, shall not exceed \$273,527. For the period of August 15, 2003 through February 14, 2004, CONTRACTOR shall receive an additional amount of \$68,831 for providing services in the Pomona/San Gabriel area.

For the period following Board approval through June 30, 2004, CONTRACTOR shall receive an additional amount of \$68,381 for providing services in the Pomona/San Gabriel area.

Notwithstanding said limitation of funds, CONTRACTOR agrees to satisfactorily perform and complete all work specified herein.

4. Part A, PERFORMANCE WORK STATEMENT, SECTION 14.0 (TARGET AREAS, POPULATION, AND FUNDING ALLOCATIONS), page 23, is amended in its entirety to read as follows:

14.0 TARGET AREAS, POPULATION, AND FUNDING ALLOCATIONS

The CONTRACTOR will provide gang intervention services in School Cluster 1, Highland Park/East Los Angeles and Bell/ South Gate service areas, through its Collaborative. CONTRACTOR, through its Collaborative, shall also provide services in communities contiguous to the above-mentioned areas as directed by the Probation Department. The names and addresses of schools and communities in School Cluster 1 that the program participants may come from are listed on Attachment E. The service area may be modified by mutual agreement between COUNTY and CONTRACTOR during the term of the contract.

CONTRACTOR, through its Collaborative, shall be responsible for serving at a minimum sixty (60) individual gang-involved youth each year, and youth for each year are mutually exclusive.

For the period November 1, 2001 through December 31, 2002 there is a total funding allocation of \$296,667 available through the Comprehensive Multi-Agency Juvenile Justice Plan authorized by the Schiff-Cardenas Crime Prevention Act of 2000 (AB1913), also known as the Juvenile Justice Crime Prevention Act (JJCPA) to be used as follows: \$281,667 for services directly related to gang intervention activities and \$15,000 for supplemental transportation expenses incurred in connection with this contract. Of the \$281,667, at least \$112,667 must be subcontracted by the CONTRACTOR to the participating CBOs of the collaborative.

For the period of July 1, 2002 through June 30, 2004, there is a total second funding allocation of \$273,527 available through JJCPA to be used as follows: \$259,697 for services directly related to gang intervention activities and \$13,830 for supplemental transportation. Of the \$259,697, at least \$103,879 must be subcontracted by the CONTRACTOR to the participating CBOs of the Collaborative.

For the period of July 1, 2003 through June 30, 2004, there is a total third funding allocation of \$273,527 available through JJCPA to be used as follows: \$259,697 for services directly related to gang intervention activities and \$13,830 for supplemental transportation. Of the \$259,697, at least \$103,879 must be subcontracted by the CONTRACTOR to the participating CBOs of the Collaborative.

For the period of August 15, 2003 through February 14, 2004, there is an additional funding allocation of \$68,381 available through JJCPA to be used as follows in the Pomona/San Gabriel area: \$64,924 for services directly related to gang intervention activities and \$3,457 for supplemental transportation. Of the \$64,924, at least \$25,969 must be subcontracted by the CONTRACTOR to the participating CBOs of the Collaborative.

For the period following Board approval through June 30, 2004, there is an additional funding allocation of \$68,381 available through JJCPA to be used as follows in the Pomona/San Gabriel area: \$64,924 for services directly related to gang intervention activities and \$3,457 for supplemental transportation. Of the \$64,924, at least \$25,969 must be subcontracted by the CONTRACTOR to the participating CBOs of the Collaborative. CONTRACTOR, through its Collaborative, shall be responsible for serving at a minimum fifteen (15) individual gang-involved youth for the period following Board approval through June 30, 2004, and youth for each period are mutually exclusive.

5. Attachment A, Standard Terms and Conditions, Section 44.0 (Nepotism), page 47 is added in its entirety to read as follows:

44.0 NEPOTISM

CONTRACTOR shall not hire nor permit the hiring of any person in a position funded under this contract if a member of the person's immediate family is employed in an administrative capacity by the CONTRACTOR

For the purposes of this section, the term "immediate family" means spouse, child, mother, father, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, step-parent, and step-child.

The term "administrative capacity" means persons who have overall administrative responsibility for a program including selection, hiring, or supervisory responsibilities.

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IN WITNESS WHEREOF, the parties by their duly authorized signatures, have caused this contract to become effective on the day, month, and year first above written.

COUNTY OF LOS ANGELES
PROBATION DEPARTMENT

By _____
RICHARD SHUMSKY
CHIEF PROBATION OFFICER

Date

ART SHARE LOS ANGELES

By _____

Typed or Printed

Title

Date

APPROVED AS TO FORM:

LLOYD W. PELLMAN
COUNTY COUNSEL

By _____
Gordon W. Trask
Principal Deputy
County Counsel